

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:23-CV-00103-JRG-RSP

JURY TRIAL DEMANDED

**DEFENDANTS' UNOPPOSED MOTION TO REDACT PORTIONS OF THE
APRIL 16, 2025 PRE-TRIAL CONFERENCE TRANSCRIPT**

Defendants Samsung Electronics Co., Ltd and Samsung Electronics America, Inc. (collectively, “Samsung”) respectfully submit this motion to redact certain limited portions of the April 16, 2025 pre-trial conference transcript. On April 28, 2025, Samsung notified the Court of its intent to request redactions of this transcript. Dkt. 433.

I. BACKGROUND

On April 16, 2025, the Court held a Pretrial Conference to address various pretrial issues. Dkt. 359. During that conference, the parties and the Court discussed matters designated as “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (Dkt. 65).

II. REQUEST FOR REDACTION

“The ‘right to inspect and copy judicial records is not absolute.’” *See Erfindergemeinschaft Uropep GbR v. Eli Lilly & Co.*, Case No. 2:15-cv-1202-WCB, 2017 U.S. Dist. LEXIS 14099, at *3 (E.D. Tex. Feb. 1, 2017) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978)). “The decision whether to allow public access to court records is left to the ‘sound discretion of the trial court . . . to be exercised in light of the relevant facts and circumstances of the particular case.’” *Id.* (quoting *Nixon*, 435 U.S. at 599). “Where the materials relate to non-dispositive issues, the interest in disclosure is less compelling. In particular, the materials filed in connection with discovery disputes unrelated to the merits of the case have been identified as the kinds of court materials for which there is not a compelling need for public disclosure; the presumption of disclosure has therefore been held inapplicable in that setting.” *Id.* at *5.

Samsung requests that the Court order the redaction of the material discussed on the following pages of the April 16, 2025 pre-trial conference transcript:

Page	Line No(s)	Reason
10	22 – 23	Reveals confidential details concerning commercial agreements and business relationship with third party Google

Page	Line No(s)	Reason
12	1	Reveals confidential details concerning commercial agreements and business relationship with third party Google
14	4	Reveals confidential details concerning commercial agreements and business relationship with third party Google
19	4	Reveals confidential details concerning commercial agreements and business relationship with third party Google
24	19, 20, 22	Reveals confidential details concerning commercial agreements and business relationship with third party Google
26	4, 13	Reveals confidential details concerning commercial agreements and business relationship with third party Google
27	4–8, 11–12, 15	Reveals confidential details concerning commercial agreements and business relationship with third party Google
30	19–21	Reveals confidential details concerning commercial agreements and business relationship with third party Google
50	8	Reveals confidential details concerning commercial agreements and business relationship with third party Google
52	18–19, 21–23	Reveals confidential details concerning commercial agreements and business relationship with third party Google

Samsung's requested redactions are highlighted in Exhibit A, attached hereto. Where possible, these redactions were targeted so as not to include the entire line. Counsel for Headwater Research, LLC represented that they do not oppose the requested relief and has not proposed any additional redactions.

Samsung considers the details of the implementation of commercial agreements with Google, details of Samsung and Google's business relationship, and aspects of its own business information to be highly sensitive and confidential, as they are not otherwise known to the public. Public disclosure of information concerning the commercial agreements between Samsung and Google creates a risk of harm to Samsung and third-party Google during future negotiations and/or business transactions. This harm outweighs the presumption of public access at least because the redactions will not affect the public's ability to understand the underlying issues in the rest of the

record, as the confidential specifics that are proposed for redaction are not germane to the issues decided at the April 16, 2025 Pretrial Conference.

Good cause exists to redact this information from the transcript in light of the potential harm to Samsung and third-party Google. This motion is brought shortly after the April 16, 2025 Pretrial Conference in which this information was raised on the record. And all individuals present in the courtroom during the April 16, 2025 Pretrial Conference were subject to this case's Protective Order (Dkt. 65)—i.e., the attorneys for the parties, the Court, its clerks, and supporting staff members. As such, there was no need to seal the courtroom during the discussion of the confidential Samsung business information and the confidential commercial agreements between Samsung and third-party Google. As noted above, redacting the requested details does not inhibit the public's ability to understand the dispute, the arguments, or the resolution. Samsung respectfully requests that the Court grant its motion for these targeted redactions.

III. CONCLUSION

Samsung respectfully requests that the Court grant its unopposed motion to redact the April 16, 2025 pre-trial conference transcript and enter the redacted transcript containing the proposed redactions attached as Exhibit A into the public record.

Dated: May 12, 2025

Respectfully submitted,

By: /s/ Jonathan B. Bright

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**ATTORNEYS FOR DEFENDANTS
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SAMSUNG ELECTRONICS AMERICA, INC.**

[REDACTED]

CERTIFICATE OF CONFERENCE

Pursuant to Local Rules CV-7(h) and (i), I hereby certify that counsel of record for Samsung and Headwater have met and conferred. Headwater does not oppose this motion.

/s/ Jonathan B. Bright
Jonathan B. Bright

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on May 12, 2025. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Jonathan B. Bright
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